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THE BAREBONES PARLIAMENT

by

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## THE BAREBONES PARLIAMENT

by

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On April 20, 1653, with the help of the army, Oliver Cromwell expelled the Long Parliament of the Commonwealth of England after nearly thirteen years of sitting. When this had been accomplished, England was without a legally constituted government.

As commander-in-chief of the armed forces, Cromwell assumed the leadership of the country. He was assisted in this task by the Council of State whose composition included some army officers. But, Cromwell realized that England could not go on indefinitely without a parliament. He, therefore, began to explore the possibilities of getting a new body of representatives to take over the place of the one which he had dissolved.

In order for a person to qualify to serve as a representative of a county, he had to be a "God-fearing" man whose record testified to that effect. With godliness established as a criterion, he set out to select members for the new assembly. Those who qualified were summoned, instructed, and urged to meet in the Council Chamber at Whitehall on July 4, 1653.

The nominees responded to the call and reported at Whitehall as requested. This new body of representatives started its task with

zeal and enthusiasm. It met in the mornings and afternoons, six days a week. It soon voted to call itself a Parliament and started on a sweeping program of reform. In the beginning there appeared to be harmony and good will among its members, but towards the end of the year the Parliament began to split up into rival factions. On December 12, 1653, through well-planned maneuvers, the majority of the members of the Parliament handed over the powers of the Assembly to Oliver Cromwell, the man who had summoned them.

Only four days later, December 16, 1653, England was to be governed under a new agreement called The Instrument of Government. A protectorate was created with powers concentrated in the hands of one man, Oliver Cromwell.

This thesis is an attempt to trace the events which led to the summoning of this "unique" Parliament, and to show what this Assembly did and accomplished within the five months of its sitting. The thesis also takes into account the period immediately after December 12, 1653, culminating in the creation of a Protectorate.

## TABLE OF CONTENTS

CHAPTER	PAGE
I. HISTORICAL BACKGROUND .....	1
A. The Commonwealth	
B. Dissolution of the Parliament	
The Manner of Its Dissolution	
The Council of State	
II. THE BAREBONES PARLIAMENT .....	14
A. The Calling of the Parliament	
Composition of the Parliament	
B. Deliberations of the Parliament	
The Lilburne Case	
C. The Fall of the Parliament	
Problems in the Commonwealth	
Coup D' Etat	
After Abdication	
III. CONCLUSION .....	56
BIBLIOGRAPHY .....	59

## HISTORICAL BACKGROUND

The Commonwealth

What is commonly known as "The Commonwealth" in the history of England came into existence by an Act of Parliament of May 19, 1649.<sup>1</sup> By this time, England had experienced a long civil war<sup>2</sup> waged between the Parliament<sup>3</sup> and the King. The war had culminated in the defeat of the royalist forces, and King Charles I had been executed on January 30, 1649. About two months later, March 17, 1649, Parliament passed an act abolishing the office of king.<sup>4</sup> Only two days later, the same Parliament declared the House of Lords "useless and dangerous to the people of England" and that the House ought to be "wholly abolished and taken away . . ."<sup>5</sup>

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<sup>1</sup>S. R. Gardiner (ed.), The Constitutional Documents of the Puritan Revolution (Oxford: The Clarendon Press, 1906), 388.

<sup>2</sup>The war was fought in two phases. The first part of it was fought between 1642 and 1646. The second part began January 15, 1648 and ended September 3, 1651.

<sup>3</sup>This is what is popularly known as the "Long Parliament." It met November 3, 1640. Its last day of meeting as Parliament was April 20, 1653.

<sup>4</sup>C. Blitzer (ed.), The Commonwealth of England, 1641-1660 (New York: C. P. Putnam's Sons, 1963), 131.

<sup>5</sup>Ibid., 134.



Then, perhaps in an effort to ensure the government's ability to deal with any possible royalist uprising, Parliament passed an act on July 17, 1649. This act which came approximately two months after the declaration of the Commonwealth, spelled out what offenses would be considered treason. Malicious publication, through writing, printing, or open declaration, charging the government to be tyrannical or unlawful would be considered treason. So would any statements which asserted that Parliament as then constituted was not the supreme authority of the land. Similarly, any attempt to stir up trouble or mobilize against the existing government would be considered acts of high treason.<sup>6</sup> The English Civil War still continued in its second stage for almost two years after the passage of this Act. On September 3, 1651 came a total defeat of the royalist forces by Oliver Cromwell at Worcester.

After the victory over the royalists at Worcester, the problem of the Commonwealth centered around the conflict between the Army and the Parliament. The civil war had resulted in great losses. The victorious party in the war had taken over the property of the defeated royalists. The activities of the Commonwealth were being financed by the spoils of the monarchy, the church, and the royalists; but these were getting exhausted at this time.<sup>7</sup> The Venetian representative then in London recorded that there was much unrest and dissatisfaction

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<sup>6</sup>Gardiner, The Constitutional Documents of the Puritan Revolution, 389.

<sup>7</sup>W. C. Abbott, The Writings and Speeches of Oliver Cromwell. (Cambridge: Harvard University Press, 1939), II, 605.



in the country, especially in London, and that food was scarce and trade had almost come to a standstill.<sup>8</sup>

Despite this general economic situation, the English were faced with the problem of continuing the war with the Dutch. In order to continue this war it was necessary to increase the pay of the navy, to restore discipline, and to find ways through which to obtain materials badly in need.<sup>9</sup>

Perhaps what sparked the army unrest more than anything else at this time was a recommendation by the committee of the army that there be a reduction in the pay of the forces in order to operate within the estimated budget of 75,000 pounds annually.<sup>10</sup> The army soon showed their dissatisfaction with this recommendation and began to clamor for a new body of representatives in Parliament. In an attempt to solve this problem, Parliament, on January 6, 1653, ordered an act for "an equal representative" to be brought into Parliament without delay. Harrison, a bitter opponent of the existing Parliament, was entrusted with the responsibility of bringing in the bill.<sup>11</sup> Although it is true to say that the soldiers were becoming a dominant element in the unrest, the unrest was by no means confined to them. The Cavaliers were beginning to

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<sup>8</sup>Calendar of State Papers, Venetian, 1653-1654 (London: Longman & Co., 1878), V, VII-VIII.

<sup>9</sup>Abbott, II, 606.

<sup>10</sup>House of Commons - Journals, VII, 241-2, hereafter referred to as Commons Journals.

<sup>11</sup>Ibid., 244.

speculate about the collapse of the anti-royalist faction and the consequent restoration of the monarchy.

The Council of Officers continued its meetings throughout January with Cromwell in attendance. On January 8, 1653 the Council is reported to have named a committee to confer with the Council of State on January 13. At this meeting, a decision was made regarding the qualifications for sitting in the House.<sup>12</sup>

The Council of Officers took a definite step in the direction of organizing the army as a political force. Exactly a fortnight after the meeting between the officers and the Council of State, the former drew up a letter to all armed forces asking them for support in their demand.

The pressure of the army on the government was increasing. Realizing this, the Council of State held discussions to find out what to be done to cope with the situation. The Council is understood to have suggested giving the officers a deliberative voice. Cromwell was reported to be covertly behind the army in its demands.<sup>13</sup> In February, 1653, the question of Parliament and its successor was attracting even greater attention. But at this time it was also becoming evident that there were differences of opinion not only between Parliament and officers, but among the officers themselves. It is reported that there were two factions within the army. One group favored the continuance of the

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<sup>12</sup>Gardiner, II, 253.

<sup>13</sup>Calendar of State Papers, Venetian, 1653-4, 12.

existing government while the other advocated a change in government and the dissolution of the Parliament.<sup>14</sup>

Even in Parliament itself it seemed evident that there were two groups opposed to each other. On one hand there were the Presbyterians, together with most of the lawyers and all Republicans opposed to the dissolution of Parliament. On the other hand, the Independents and the soldiers were for dissolution.<sup>15</sup>

A significant step was taken on March 7 when Cromwell, all Major-Generals, and other commission officers met to discuss what was to be done on the question of creating a new representative. But it cannot be supposed that all the army officers were agreed on what was to be done. There appeared to be a power struggle between Cromwell's followers and his opponents. It was rumored that Cromwell's opponents were considering enlisting the support of Lambert and Fairfax in order to remove Cromwell from the command of the army. There seems to be considerable truth in this rumor considering the fact that Cromwell refused to grant Lambert audience when the latter sought it on March 15.<sup>16</sup> The council of officers later considered Lambert for appointment to the post of commander of the forces in Scotland for a period of six months.<sup>17</sup>

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<sup>14</sup>English Historical Review (London: Butterworths, 1962), VIII, 530.

<sup>15</sup>Abbott, II, 618.

<sup>16</sup>Gardiner, History of the Commonwealth (London: Longmans Green & Co., 1903), III, 246.

<sup>17</sup>Calendar of State Papers, Domestic, 1652-3, 260, 279.

Though it is not known whether Lambert actually received the appointment and went to Scotland, it has been suggested that the move aimed first at suppressing agitation for the dissolution of Parliament; and second, at getting rid of opposition to Cromwell which might prove an obstacle to his ascendancy.

#### Dissolution of Parliament

Although England was at war with Holland, it was not around foreign officers that the crisis among the English people revolved. The army was restless and advocating the expulsion of the long Parliament. It was only through the influence of such men as General Desborough that the situation was brought under control. Asking the army what they should call themselves in the event of dissolving the Parliament, Desborough reminded the army that England was engaged in a foreign war with the Dutch and that the expulsion of Parliament would reduce the chances of reaching a compromise with Holland.<sup>18</sup> Cromwell was in an unhappy position at this time. On one hand there was a group in Parliament which felt he was dictating the terms of the peace with the Dutch. On the other hand, a group in Parliament was demanding his ouster from command. Their grievance was that Cromwell was inclined to give rather than to take orders. Fairfax and Lambert were both consulted on the possibility of replacing Cromwell.<sup>19</sup>

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<sup>18</sup>Newsletter, March 18, Historical Review, 1893, 528, quoted in Gardiner, II, 245.

<sup>19</sup>S. R. Gardiner, II, 246.

As pointed out earlier Lambert tried to meet General Cromwell on two occasions, but the latter refused to give him audience. Cromwell then absented himself from the proceedings of Parliament.<sup>20</sup> The army was opposed to the existing Parliament and accordingly sought its immediate dissolution. To express their dislike of Parliament, some of them started to preach against the Parliament. This was evident at **Blackfriars** when, before the end of March, one of the military preachers made it clear that the army intended to see a speedy fall of Parliament. One of the officers declared that he wanted to see people of greater honour and honesty sit in Parliament.

Cromwell was interested in spreading the Gospel in Wales. An act for this purpose was passed early in 1650. By the terms of this act power was given to the Commissioners "to deprive all malignant and scandalous clergy, and to establish a preaching ministry in their room . . ."<sup>21</sup> The powers conferred on the Commissioners, one of whom was Harrison, expired on March 25, 1653. Critics of the plan to propagate the Gospel exerted their pressure on Parliament not to renew the Act. Being keenly interested in the propagation of the Gospel in Wales, Cromwell watched closely the outcome of the Bill which had been introduced in Parliament for the purpose of facilitating the continuance of the Commissioners' authority in Wales.<sup>22</sup>

As it turned out, Cromwell's hopes were thwarted when the Bill was rejected by Parliament on April 1. But at this time, Cromwell was

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<sup>21</sup>Gardiner, II, 249.

<sup>22</sup>Commons Journals, VII, 272.



not yet convinced that the army would be justified in overthrowing the Parliament. He continued to support the Parliament, but with a watchful eye. The Bill in Parliament dealing with the choosing of a new body of representatives was of special interest to him. Although this Bill was due to be debated on April 6, it was simply bypassed on this day. In addition, it was rumored that members of Parliament intended to drop the Bill altogether. The news of this happening was welcome to the Army and the officers, to whom a continued sitting of the Parliament meant putting up with political inefficiency and corruption. The Army issued a new petition asking the Parliament to define the qualifications for exclusion of persons thought to be improper. On April 13, Parliament debated the question of qualifications and resolved that members should be allowed to sit in Parliament only if they were " . . . persons of known integrity, fear of God and not scandalous in their conversation."<sup>23</sup> Already the Royalists had been excluded from Parliament. The mistake which Parliament made was that of attempting to convert the Bill into one which would have enabled the present members to fill up vacancies while retaining their own seats. To make matters worse, it was rumored that this system was to be used in the choosing of parliaments in the future.<sup>24</sup> The implication of this would have been the elimination of the general election as a means of filling up parliamentary seats.

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<sup>23</sup>Ibid., 277.

<sup>24</sup>Gardiner, III, 253.

Knowledge of the plan brought great dissatisfaction to Cromwell.

Cromwell then appeared in Parliament two days after the qualifications had been spelled out. On this day, April 15, he urged the Parliament to think in terms of a general election as opposed to a plan to merely fill up vacancies. New demands were being aired calling for Cromwell's resignation. He offered to resign but there was nobody ready to succeed him, and he therefore retained the title of Commander of the Armed Forces.

April 19 was an important day in the history of the Long Parliament. On this day, a conference summoned by Cromwell was attended by the Army officers and the Parliamentary leaders. Details of what was considered differ slightly. One account has it that there was a proposal to dissolve the Parliament into the hands of a few men.<sup>25</sup> Another account goes farther by stating that Cromwell declared to his Council of officers that ". . . if they should trust the people in an Election of a new Parliament according to the old Constitution, it would be a tempting of God . . . and that five or six men, and some few more would do more in one day than the Parliament had or would do in a hundred . . ."<sup>26</sup> A third account is given by Cromwell himself as disclosed in his July 4 speech to the Parliament. It is clear from his account that he and his Council officers advocated the hand-over of power to well known persons of honor, integrity, and of religious inclinations.

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<sup>25</sup>Abbott, II, 635.

<sup>26</sup>Heath, Flagellum, (1672), 127, quoted in Abbott, II, 635.



The idea that the existing Parliament had to go seems to have occupied the attention of the conferees. Cromwell and his Council of-ficers watched closely the proceedings in Parliament the following day, at which time Parliament was to resume the debate on the question of putting an end to or continuing with the existing Parliament. On this day the Parliament went into session and began to debate the self-perpetuation Bill. News got around that the Parliament was just about to pass the Bill into law and Cromwell intervened to prevent its passage.

#### The Manner of Its Dissolution

One account of the expulsion of the Long Parliament goes thus:

. . . the Lord General Cromwell came into the House, clad in plain black clothes, with grey worsted stockings, and sat down as he used to do in an ordinary place. After a while he rose up, put off his hat, and spake, at the first and for a good while he spake to the commendation of the parliament for their pains and care of the public good, but afterwards he changed his style, told them of their injustice, delays of justice, self-intent, and other faults. Then he said: 'Perhaps you think this is not parliamentary language; I confess it is not . . .' Then he put on his hat, went out of his place, walked up and down the stage or floor in the midst of the House, with his hat on his head, and chid them soundly, looking sometimes and pointing particularly upon some persons . . . to whom he gave very sharp language . . .<sup>27</sup>

According to this account, Cromwell ordered Harrison to call the musqueteers into the House. He then pointed to the speaker in the chair and commanded

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<sup>27</sup>"Expulsion of the Long Parliament," Sydney Papers (London, 1825), 139, quoted in Readings in English History, ed. R. P. Cheyney (Boston: The Athenaeum Press, 1922), 498.

Harrison to "fetch him down."<sup>28</sup> Before locking up the House, Cromwell ordered that this mace be taken away by Colonel Otley, one of the army men.<sup>29</sup>

Another account of the dissolution of the Parliament is told by Whitelock as follows:

Entering the House [Cromwell] in a furious manner had the speaker leave his chair, told the House that they had sat long enough . . . that some of them were whore-masters, looking then towards Henry Martin and Sir Peter Wentworth; that others of them were Drunkards, and some corrupt and unjust men and scandalous to the profession of the Gospel, and that it was not fit they should sit as a Parliament any longer, and desired them to go away . . .<sup>30</sup>

In the July 4 speech Cromwell's own testimony is much to the same effect. However, he does not describe the manner in which he conducted himself in the House when expelling the Parliament. In the speech, he states the reason for dissolving the Parliament; namely, the attempt by Parliament to pass a self-perpetuating Bill. He admits in the speech that the proceedings of the Parliament were interrupted when he says, "The House was dissolved even when the speaker was going to put the last question."<sup>31</sup> Thus, a few more details are added to the above discussions in different accounts. For example, one account relates that Cromwell

<sup>28</sup>Ibid.

<sup>29</sup>Ibid., 499

<sup>30</sup>Whitelock, Memorials, 554, quoted in Abbott, II, 642.

<sup>31</sup>Calendar of the Clarendon State Papers, III, 200.

"called them [Parliament members] a company of oppressive, perfidious fellows." The same account adds that, commanded by Harrison, the Speaker of the House left his "beloved" chair and mace. Cromwell gave a "contumelious" speech to Sir Vane the Younger, H. Martin, who was described as a broad-faced adulterer, St. John, Allen, A. Sidney, and Sir Arthur Haselrig.<sup>32</sup> One account has it that Harrison pulled the Speaker by both hands, and reviled some as they passed by, and called them drunkards, adulterers, and dissembling creatures.<sup>33</sup>

#### The Council of State

Now that Cromwell, with the aid of the Army, had dismissed the Long Parliament, his next target was the Council of State. In the afternoon of the day he dissolved the Parliament, he heard that the Council of State was in session. The Council was proceeding with the election of a new chairman for the Council to replace Denis Bond, whose term of office was due to expire in three days' time. Cromwell, accompanied by Lambert and Harrison, made his way to the Council Chamber where upon arrival, he said,

Gentlemen, if you are met here as private persons, you shall not be disturbed, but as a Council of State, this is no place for you; since you cannot but know what was done at the House in the morning, so take notice that the Parliament is dissolved.<sup>34</sup>

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<sup>32</sup>Calendar of the Clarendon State Papers, III, 200.

<sup>33</sup>Ibid., 201

<sup>34</sup>Ludlow, I, 357, quoted in Gardiner, II, 265.

Bradshaw, sometimes incorrectly referred to as President of the Council, defied Cromwell and answered him on behalf of the Parliament which he had dissolved in the morning. In a dignified manner Bradshaw answered Cromwell and challenged the legality of the military violence when he said,

Sir, we have heard what you did at the House in the morning, and before many hours all England will have it, but, Sir, you are mistaken to think that the Parliament is dissolved, for no power under heaven can dissolve them but themselves; therefore take you notice of that.<sup>35</sup>

Cromwell gave the same answer he had given earlier in the morning; namely, that the existing House was no Parliament. It had chosen to act in its own name rather than in the name of the nation. The Parliament, then, had no claim to represent the people. He talked about the Parliament's attempt to perpetuate itself and to control the future membership of Parliament through the device of admitting or rejecting the candidate for seats in the Parliament as they deemed fit.<sup>36</sup>

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<sup>35</sup> Ibid.

<sup>36</sup> Gardiner, II, 265.

## II

### THE BAREBONES PARLIAMENT

#### The Calling of the Parliament

When Cromwell expelled the Rump on April 20, he had no set plan as to how the country was going to be governed. The Bill pertaining to representation had been framed by the Rump in such a way that the members would continue sitting and also determine the qualifications of new members to fill vacancies.<sup>37</sup> As has been pointed out in the paper, this self-perpetuating mechanism was to apply not only to the coming election, but to all future elections. Besides, it was rumored that Parliament intended to remove Cromwell and replace him with a more "complaisant general."<sup>38</sup> All this had the effect of stiffening Cromwell's attitude toward the Rumpers and his unpremeditated expulsion of the Parliament came not as a surprise.

Now that the Parliament had been done away with, a substitute had to be devised. Lambert suggested a small governing council of ten or twelve men. Harrison, on the other hand, preferred an assembly of seventy, modelled on the Sanhedrin of Jerusalem and dedicated to a "Fifth Monarchist rule of the godly."<sup>39</sup> Cromwell himself had suggested that the

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<sup>37</sup> A. Woolrych, "The Calling of the Barebones Parliament," The English Historical Review (July, 1965), LXXX, 493.

<sup>38</sup>  
Ibid.

Rump nominate a small body of members and officers to serve as a caretaker government while the next step was being contemplated.<sup>39</sup> Ten days after the expulsion of the Rump and the Council of State, a new Council of State was summoned. It had ten members with Lambert as its first President.<sup>40</sup>

The Government so functioning was to be purely on a temporary basis pending the summoning of "persons of approved fidelity and honesty . . . to the Supreme authority" of the Commonwealth.<sup>41</sup> This was Cromwell's declaration on April 30 pertaining to the subject of the new Representative. He made no more statements on the subject until June 6 when the writs of summons were issued. But even by this time three questions had not been settled. First, there was the question of the size of the assembly to be called. Second, the question of apportioning was still unsettled. Of the unsettled question, perhaps the most significant one was that concerning the manner in which the new Representative was to be chosen. Between the end of April and roughly the middle of May, the idea of a Sanhedrin of Seventy seemed to be widely acceptable. However, there is some doubt as to whether

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<sup>39</sup>Ibid.

<sup>40</sup> Abbott, III, 17-18 gives the names of members as Generals Cromwell, Lambert, Harrison and Desborough, Colonels Stapley, Bennett and Sydenham, who were in the army, John Carew, Walter Strickland and Sir Gilbert Pickering, who were officials. Within a month were added Colonels Tomlinson, Jones and the London merchant, Samuel Moyer. However, he makes an error by stating that seven of the ten members were in the army. Only four of these, Cromwell, Lambert, Harrison, and Desborough held commands in the marching army while at the same time retaining seats in the Council of officers.

<sup>41</sup> Abbott, III, 16-17.



the idea originated with the Council of officers. It is likely that the idea of a Sanhedrin of Seventy was part of the propaganda of the Fifth Monarchy men to influence the character of the type of government to follow.<sup>42</sup>

There were other interested groups; for example, the Levellers and the Quakers, who expressed views on the direction in which the country should move. These groups can be put into three categories. First, there were those who felt the choice of the persons to rule England should be entrusted to the hands of the Saints, the gathered churches. Second, there was a group which held that the choice of England's rulers should be made by Cromwell or by the officers jointly. Lastly, there was a group which supported the idea that Cromwell and the army be allowed to retain the government in their hands.

John Rogers asked Cromwell, whom he believed God had called upon to rule, to choose those who were to rule the Commonwealth.<sup>44</sup> On the other hand, John Spittlehouse, a Fifth Monarchy man who had fought under Cromwell until the victory at Worcester, went even further by suggesting that the churches be given no political powers and that there should be a

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<sup>42</sup>Clarke Papers, III; Thurloe State Papers, I, 240. The Fifth Monarchy Men were a politico-religious party who looked forward to a time when the reign of Christ would come on earth. They prepared for Christ's Kingdom by seeking ways through which the existing government could be made to accord as closely as possible with the rule of Christ. They advocated the abolition of tithes and the replacement of the existing laws with God's law.

<sup>43</sup>"Levellers" is a name which was given to the more extreme democrats of the civil war and the commonwealth period. The group advocated republicanism, manhood suffrage, toleration, and the abolition of the House of Lords. They were antagonistic toward the commonwealth.

<sup>44</sup>J. Rogers, A Few Proposals Relating to Civil Government, 25 April 1653, as noted in A. Woolrych, "The Calling of the Barebones Parliament," The English Historical Review (July 1965), LXXX, 498.



new Representative body composed of the army officers who were to be elected by the commissioned officers of each regiment and garrison.<sup>45</sup> Good as this plan might have sounded, it was unlikely that Cromwell would have accepted the plan since it would have meant complete control of the affairs of the country by the army alone. Cromwell did not want this situation to present itself at this time. Spittlehouse's plan was modified in part by the suggestion that officers who accepted the nomination to the new assembly would have to be prepared to surrender their commissions prior to taking up their seats.<sup>46</sup> Harrison is reported to have been reluctant to part with his commission in order to sit in the new assembly.<sup>47</sup> There were suggestions that Cromwell be made King, but he seems to have been disinclined to accept such suggestions.<sup>48</sup> Important as these problems seem, the major question at this time was whether Cromwell alone was to choose the new Representative or whether the so-called Saints were to do it. As it turned out later, it was not the "Saints" who made the choice, nor was it Cromwell alone. He nominated members with the help of such persons as Lambert, Harrison, Sir Gilbert, Pickering, Whalley, Goffee, and John Owen. Whether or not there was consultation between Cromwell, his collaborators and the counties which the members were to represent, does not seem clear. However, it appears as if he might have consulted some counties as

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<sup>45</sup>Ibid.

<sup>46</sup>Clarke Papers, III, 4.

<sup>47</sup>Calendar of the Clarendon State Papers, 221.

<sup>48</sup>For suggestions of this kind see Abbott, III, 28-29; Thurloe State Papers, I, 249, 289.

evidenced in the statement:

Most of them were named by the General without consulting the respective countrys; but some officious countrys (or rather particular factions in those countrys) as Kent and some few others have returned the name of 5 or 6 qualified persons out of which his Excellency hath chosen 2 or 3.<sup>49</sup>

This statement established the fact that the ultimate say as to who was to sit in the new Representative lay with Cromwell, although the influence of the officers cannot be denied. This is indicated in his summons to the members on June 6 when he stated, "divers persons fearing God . . . are by myself, with the advice of my council of officers, nominated."<sup>50</sup>

In his opening speech to the new assembly on July 4, he made much reference to Providential guidance. He proudly spoke of "very many papers from the Churches of Christ throughout the nation" giving approval to what he had done, but he said practically nothing on the role of the churches in the work of nomination. Thus, the implication of his speech was that the credit for the calling of the assembly went to the army.<sup>51</sup> It does seem clear that Cromwell and his officers made no effort to secure nation-wide support for the return of names to him and his Council of officers for approval.

Once the names had been turned in, and he and his officers had had a chance to look at them, and to decide who was to be summoned, a

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<sup>49</sup> A. Woolrych, "The Calling of the Barebones Parliament," The English Historical Review (July, 1965), LXXX, 502.

<sup>50</sup> Abbott, III, 34.

<sup>51</sup> Ibid., 64-65.

writ of summons was issued on June 6 and read thus:

Forasmuch as, upon the dissolution of the late Parliament, it became necessary that the peace, safety, and government of this Commonwealth should be provided for; and in order thereunto, divers persons fearing God, and of approved fidelity and honesty are by myself, with the advice of my Council of officers, nominated . . . And having assurance of your love to, and courage for God and the interest of his cause, and of the good people of the commonwealth; I, Oliver Cromwell, Captain-general and Commander in Chief . . . do hereby summon and require you . . . personally to be and appear at the Council Chamber, commonly known or called by the name of the Council Chamber at Whitehall . . . upon the fourth day of July, next ensuing the date hereof . . . and . . . you are hereby called appointed to serve as a member for the County of \_\_\_\_\_ . And hereof you are not to fail . . .<sup>52</sup>

The original copy of the letter signed by Cromwell and covering three-quarters of a page was sent to Praise-God Barebone who was to represent the City of London.<sup>53</sup>

#### Composition of the Parliament

Here below is a listing of the names of the members of the Barebones Parliament and the counties they represented.<sup>53</sup>

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<sup>52</sup>Somers Tracts, VI, 247. The letter was signed, "O. Cromwell."

<sup>53</sup>The Barebone referred to here was a leather-seller who according to Somers Tracts, VI, 250, was "a zealous fanatic." It was after him that the Little Nominated Parliament took the name of "Barebones." Long as his name appears, he is said to have had two brothers with even longer names. One was called "Christ came into the world to save Barebone," while the other one was known as "If Christ had not died, thou hadst been damned, Barebone."

<sup>54</sup>See Somers Tracts, VI, 248-250.

<u>Constituency</u>	<u>Representative</u>
Berks	Samuel Dunch* Vincent Goddard** Thomas Wood*
Bedford	Nathaniel Taylor** Edward Cater**
Buckingham	George Fleetwood* George Baldwin*
Cambridge	John Sadler* Thomas French** Robert Castle* Samuel Warner*
Chester	Robert Duckenfield* Henry Birkinhead**
Four Northern Counties	Charles Howard* Robert Penwick* Henry Dawson* Henry Ogle*
Cornwall	Robert Bennet** Francis Langdon** Anthony Rous* John Bawden**
Derby	Jervas Bennet* Nathaniel Barton*
Devon	George Monk* John Carew* Thomas Sanders* James Erisey* Francis Rous* Richard Sweat**
Dorset	William Sydenham* John Bingham*
Essex	Joachim Matthews* Henry Barington** John Brewster* Christopher Earl** Dudley Templer*

\* Moderate Party

\*\* Opponents of the Moderate Party

Gloucester	John Crofts** William Neast* Robert Holmes**
Southampton	Richard Norton* Richard Major [Mayor]* John Hildesley*
Hertford	Henry Lawrence* William Reeve**
Hereford	Wrath Rogers** John Herring**
Huntington	Edward Montague* Stephen Phesaunt*
Kent	Lord Viscount Lisle* Thomas Blount** William Kenrick** William Cullen* Andrew Broughton**
Lancaster	William West** John Sawrey** Robert Cunliff*
Leicester	Henry Danvers** Edward Smith* John Prat*
Lincolna	Sir William Brownlow* Richard Cust** Barnaby Bowtel* Humphrey Walcot* William Thompson*
Middlesex	Sir William Roberts* Augustine Wingfield* Arthur Squib**
Monmouth	Philip Jones*
Northampton	Sir Gilbert Pickering* Thomas Brook*
Norfolk	Robert Jeremy** Tobias Fecete* Ralph Wolmer* Henry King* William Burton**

Nottingham	John Odingsels* Edward Chid*
Oxen	Sir Charles Wolsley* William Draper** Dr. Jonathan Goddard*
Rutland	Edward Horesman*
Salop	William Botterel** Thomas Baker**
Stafford	George Bellit** John Chetwood**
Suffolk	Jacob Caley** Francis Brewster* Robert Dunkon** John Clark* Edward Plumstead**
Somerset	Robert Blake* John Pine** Dennis Hollister** Henry Henley*
Surrey	Samuel Hichland** Lawrence March**
Sussex	Anthony Stapeley** William Spence** Nathaniel Studely**
Warwick	John St. Nicholas* Richard Lucy*
Wilts	Sir Anthony Ashley Cooper* Nicholas Green** Thomas Eyre**
Worcester	Richard Salway* John James**
York	George Lord Eyre* Walter Strickland* Francis Lassels* John Anlaby** Thomas Dickenson* Thomas St. Nicholas** Roger Coats** Edward Gill*



## London

Robert Tichborn\*  
 John Ireton\*\*  
 Samuel Moyer\*\*  
 John Langley\*  
 John Stone\*  
 Henry Barton\*  
 Praise-God Barbone\*\*

## Wales

Bushy Mansel\*\*  
 James Philips\*  
 John Williams\*\*  
 Hugh Courtney\*\*  
 Richard Price\*\*  
 John Brown\*\*

## Scotland

Sir James Hope\*\*  
 Alexander Brady\*  
 John Swinton\*\*  
 William Lockhart\*  
 Alexander Jefferies\*\*

## Ireland

Sir Robert King\*  
 Colonel John Hewson\*  
 Colonel Henry Cromwell\*  
 Colonel John Clarke\*  
 Daniel Hutchinson\*  
 Vincent Gookyn\*

Called in by Parliament were Lord General Cromwell, Major General Lambert, Major General Harrison, Major General Desborough and Colonel Mat Tomlinson. All of these except Harrison belonged to the Moderate Party. It is known that 140 were summoned. However, the list shows only 139. Sir Henry Vane is said to have been invited but declined the invitation, saying "he would wait for his share of the reign of the saints until he came to heaven."<sup>55</sup> This would tend to confirm that 140 invitations were issued by Cromwell and his Council of officers.

Of the nominated body of representatives, various opinions have been given. Hume described the assembly thus:

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<sup>55</sup> Newsletter from London, June 13, quoted in Calendar of the State Papers, II, 213.



In this notable assembly were some persons of the rank of gentlemen, but the far greater part were low mechanics; Fifth monarchy men, Anabaptists, independents, the very dregs of the Fanatics . . . Their hearts were no doubt dilated when they considered the high dignity to which they supposed themselves exalted . . .<sup>56</sup>

Another report giving an account of the assembled Parliament put it as follows: "The generality of them [members] are the most unknowne in the Commonwealth, petifoggers, inne-keepers, mil-wrights, stocking mongers, and such a rabble as never had hopes to be a Grand-Jury."<sup>57</sup>

On the other hand, Christopher Hill claims there is much evidence to show that the Barebones Parliament was a socially respectable body.<sup>58</sup> Of its 140 members, there was one peer of the realm, and five of the members were to become peers after the restoration. The assembly also included thirteen knights or baronets, sixty former or future members of Parliament, at least fifty Justices of the Peace, forty-three officers of the rank of Colonel and above, three Admirals, fourteen Sheriffs of counties, and six members who were actually ex-royalists. Among learned men in the assembly were the Warden of Merton, who was physician to both Cromwell and Charles II, and the Provost of Eton, who wrote the metrical psalms still in use in the Church of Scotland.<sup>59</sup>

In Parliament were also included men of various religious affiliations; for example, Baptists, Fifth Monarchy men, commonly known as

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<sup>56</sup>Hume, The History of England (London: Gilbert & Livingston, Printers, 1848), V, 340-341.

<sup>57</sup>Newsletter from London, June 13, quoted in Calendar of the Clarendon State Papers, II, 217.

<sup>58</sup>See his article, "The Barebones Parliament: A Revaluation," The Listener (July 23, 1953), 142.

<sup>59</sup>Ibid.

Fifth Monarchists, and Independents.<sup>60</sup> The Fifth Monarchy Men had received with great joy the news of Cromwell's expulsion of the Long Parliament. They had been dissatisfied with the Long Parliament, and they began to think of the dissolution of the Parliament as a means of achieving justice.<sup>61</sup> They advocated a government by "godly" men as a step in laying the foundation upon which the Kingdom of Christ was to be built. The Fifth Monarchists had made definite suggestions on the next step to follow the expulsion of Parliament. They had suggested a "Sanhedrin of seventy godly men, chosen by Cromwell, and set apart for the work by prayer."<sup>62</sup> Soon, the spread of the news regarding Cromwell's intention to summon a new representative made the Fifth Monarchists jubilant. Later, as will be seen, they were to become disenchanted on realizing that their hopes could not become a reality.

#### Deliberations of the Parliament

Monday, July 4, 1653 was the day designated for the first meeting of the new Assembly. On this day, about 120 members gathered in a Council-Chamber in Whitehall to listen to Oliver Cromwell. He gave what was described as ". . . a very grave, Christian, and seasonable speech

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<sup>60</sup>The Baptists were a group of religious men who held that magistracy was God's ordinance and upheld the taking of oath and holding of civil office by church membership. They held that ministers ought not to preach for hire, but should be supported by free offerings from their congregations. Hence, they, like the Independents, were opposed to tithes and ministry controlled by the State.

<sup>61</sup>The English Historical Review (1893), 533.

<sup>62</sup>L. F. Brown, The Political Activities of the Baptists and Fifth Monarchy Men in England During the Interregnum (London: Oxford University Press, 1912), 61.

and exhortion,"<sup>63</sup> In the speech he explained to those assembled that he had found it necessary to expel the Long Parliament because of its attempt to perpetuate itself, an act he labelled, "a breach of trust."<sup>64</sup> Perhaps in an attempt to allay any fears on the part of the nominees regarding the manner in which they were called upon to assume authority, he stated clearly to them that their call was "no new thing."<sup>65</sup> He took time to explain the criteria which he and his council of officers had employed in the selection of the nominees. The criteria used were love, faith in Jesus Christ, and love towards God's people and Saints.

Stressing his belief that theirs was a divine call to the service of their country, he said, "Truly you are called by God to rule with Him, and for Him. And you are called to be faithful with the Saints, who have been somewhat instrumental to call you."<sup>66</sup> He alluded to the Scriptures to prove to them that their assumption of responsibility was divinely inspired.<sup>67</sup> In that same speech he advocated toleration when he addressed the nominees in the words, "Truly the judgment of truth will teach you to be as just towards an unbeliever as towards a believer; and

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<sup>63</sup>Somers Tracts, VI, 247.

<sup>64</sup>Abbott, II, 55.

<sup>65</sup>Ibid., 59. Cromwell was here referring to the nominated Parliament which had been summoned by writ on January 14, 1553. This reference established the fact that the Assembly had a precedent in the history of England.

<sup>66</sup>Ibid., 61.

<sup>67</sup>The Scriptural reference was to James, III, 17, 18.

it is our duty to do so."<sup>68</sup> He made it clear to his audience that he had drawn up the Instrument with the advice and consent of his senior officers of the Army.<sup>69</sup> Among the terms of the Instrument was the provision that those then gathered were to sit no longer than November 3, 1654. Three months prior to this date, they were to choose their successors who were to sit in Parliament for a period not exceeding twelve months. Thus after Cromwell's speech, which he ended by commending the members to the grace of God, the House adjourned.<sup>70</sup>

Now that the Assembly had been given permission by Cromwell to assume its role as the Supreme Authority in the land, it wasted no time. The members met six days a week, Sunday being set aside as a day of rest. Within the first seven working days, the Assembly had fully assumed the responsibility to which it had been called. One of the first acts was to choose a Speaker for their Assembly. For this purpose, Francis Rous was appointed. After only one day of meeting, the new members by vote of 65 to 46 assumed the name of "Parliament."<sup>71</sup> On this same day, July 6, a proposal was made in urging the House to seek God's blessings in its work. Within this first week the Parliament spelled out the qualifications for service in the House. It was revealed that

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<sup>68</sup> Abbott, II, 62.

<sup>69</sup> The Instrument was a document drawn up by Cromwell with the help of his army officers specifying the authority which the new body of representatives was to exercise. One of the provisions of the Instrument called for the establishment of the Council of State.

<sup>70</sup> Somers Tracts, VI, 248.

<sup>71</sup> Gardiner, II, 289.

"real godliness" was to be the criterion for admission to the service of the House. Besides considering this qualification, the House also pronounced an open invitation urging the whole country to take part in a "Service of prayer on behalf of those who had been entrusted with so great a burden of government."<sup>73</sup> The choice of the Serjeant at Arms was made, and the members started to consider the restoration of the mace, symbol of authority.

Without much delay after the first meeting, the new Representative quickly resolved to issue invitations to the Lord General Cromwell, Sir Anthony Ashley Cooper, Sir Gilbert Pickering, Mr. Strickland, Colonel Sidenham, Mr. Moyer, Mr. Carew, Colonels Tomlinson, Bennet and Jones, Major-Generals Lambert, Harrison, Desborow to take seats in the Assembly.<sup>74</sup> One committee was to look "into the various treasuries, reduce them to a single office and also report on the best method of calling to account all those individuals who had received money from the Commonwealth in their capacity as members or officers of the late Parliament."<sup>75</sup>

The eighth day of meeting, July 11, was spent in prayer seeking God's guidance, but the House quickly moved to initiate new reforms. During this second week of sitting, it passed a resolution calling for the appointment of individuals to look into the grievances and inconveniences in the proceedings of the law. But among other things, the Assembly made a formal declaration on its status in the following words:

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<sup>73</sup> Ibid.

<sup>74</sup> Commons Journals, VII, 281

<sup>75</sup> Gardiner, II, 290.



"We judge ourselves to be the Parliament of the Commonwealth of England; and hope to demean ourselves for the good of all, and to be tender of the liberties of the people."<sup>76</sup> Once more the members of the House expressed the opinion that God had blessed the English nation and hoped he would continue to bestow such blessings. They declared their wish to enlist themselves as promoters of His Gospel, breaking oppressive yokes and removing burdens. To them, this was a significant declaration, and they ordered the declaration be sent to all Sheriffs for onward transmission to the populace.<sup>77</sup> On the same day the Parliament ordered that a Bible be provided for the service of the House.<sup>78</sup>

Another significant job was that of confirming additions to the Council of State. Seventeen new members were to be added to the original thirteen.<sup>79</sup> The Council was to sit until November 3, 1653 when a new one would be chosen. The House began to focus its attention on the thorny issue of tithes. On July 18 the Assembly passed a resolution calling on the entire House to form a committee for the purpose of considering tithes.<sup>80</sup> The attempt to do away with tithes failed when the House by a vote of 66 to 43 refused to support the abolition of tithes. Had the resolution been passed, it would have meant putting an end, by November 3, to the practice of paying ministers who relied, for their

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<sup>76</sup>Calendar of State Papers, Domestic, 1652-1653, V, 21.

<sup>77</sup>Ibid.

<sup>78</sup>Ibid., 284.

<sup>79</sup>Gardiner, II, 289, makes an analysis of the membership, but makes an error in claiming that the Council of State consisted of 31 members - 13 original, and 18 additional.

<sup>80</sup>Commons Journals, VII, 286.

livelihood, on the tithes. The failure to pass the bill dealing with tithes had some significant political indication. It showed quite clearly that even at this early stage of Parliament's sitting, there had evolved two factions in the House. There was one group which was radical and reckless, while the other one was moderate and less reckless.

More committees were formed for the purpose of conducting the business of the House. First, there was the Army committee. Then there was the Public Revenue Committee whose duty was to inspect the treasuries, and regulate officers and salaries. A Petitions Committee was set up for the purpose of receiving petitions which were directed to the Parliament, and also to present those which were judged to be proper to the legislative power. The committee had the power to send for persons, papers, witnesses and records whenever it deemed necessary. A Trade Committee was created for the purpose of handling matters pertaining to the commerce of the Commonwealth. The "Publick-Debts" committee was instituted for the purpose of considering public debts and receiving accusations of bribery, public frauds, and matters relating to the breach of public trusts. Among significant steps taken by the Parliament was that calling for the creation of a committee for the Advancement of Learning. On the same day, it was resolved, in connection with the propagation of the gospel, that a committee be established to look into the possibility of removing all law and ordinances which were an obstacle to the progress of the gospel.

The second week of meeting ended with a House vote to establish the salary for the Treasurers of the Army at 1200 pounds for six months. The third week was to see more sweeping reforms. After confirming Francis Rous as Speaker for the House on August 2, the Parliament resolved



to do away with the High Court of Chancery of England. At the same time, it ordered the creation of a committee of the Law, the function of which was to examine how cases then pending in the Chancery might be settled.<sup>81</sup>

In this same week, Parliament began to consider what was to be done about Irish Army Arrears, a subject raised by Colonel Cromwell. The Parliament ordered that the whole business of Arrears due to several officers and soldiers who had served in the late wars in Scotland before October 20, 1651, be referred to the Army Commission for consideration. This second week of sitting also saw the whole House resolve into a Grand Committee for the purpose of considering marriages, births, and burials. To be considered also was a time to be set aside as a Thanksgiving Day when the English people would humbly bow before God in gratitude for His mercy in the past wars against the Dutch.

The Parliament felt something must be done quickly to replace the Court of Chancery which had been done away with. On August 10 the Parliament took care of this need when it ordered the creation of a High Court of Justice, one of whose duties was to try offenders against the Commonwealth. In this connection the Council of State was to bring in an Act with the names of Commissioners inserted.<sup>82</sup>

On entering the third week of sitting, which began August 15, the House gave thought to a humanitarian cause. The families of the Parish of Sepulchres in London had suffered great losses through fire. Upon

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<sup>81</sup> Commons Journals, VII, 296.

<sup>82</sup> Ibid., 297.

receiving petitions for relief, the Parliament gave a positive response by voting in favor of granting relief to the distressed families. On this same day, the House gave thought to an economic matter and passed a resolution. The resolution called for the setting aside of three pence for Commonwealth use on every pound of tobacco in the County of Gloucester. The second part of the economic resolution had the effect of guaranteeing rights to the planters in the County of Gloucester. The resolution spelled out that "... the planters of English Tobacco in Gloustershire shall enjoy the English Tobacco by them planted this year only, without Interruption or Molestation . . ." <sup>83</sup> The House was soon to embark on the sale of all the land and the real estates of Recusants, then in the hands of the Commonwealth.

In this third week of sitting, Parliament resolved that a Bill be brought in concerning "idiots, lunaticks, and infants". <sup>84</sup> Thus it can be seen that the House recognized the need for legislation affecting the helpless members of society. For the first time since the new Representative was called, attendance was checked. Those present were marked with "P", while those absent were marked "A". Attendance was becoming compulsory and a resolution to that effect was passed on August 22. The resolution made it imperative for members who absented themselves to account for their absence. <sup>85</sup> Before the third week ended, the House considered the sale of Hampton House. It also passed a

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<sup>83</sup> Commons Journals, VII, 301.

<sup>84</sup> Ibid., 306.

<sup>85</sup> Ibid.

resolution to thank Strickland, Lieutenant-Colonel Kelsey and Carew for their great service to the nation in the viewing of the state of the fleet.

Up to the fourth week of sitting, the mace had not been brought back to the House. Parliament began to consider the possibilities of bringing back the mace to the House. It held its deliberations on a variety of subjects. Among these was the question of expanding the Army. It was resolved by Parliament that the Committee of the Army be empowered to make additions. The House also set itself to consider religious matters. It passed a resolution on August 25 calling for the selection of a committee to be charged with the responsibility of explaining to the House how "ignorant, profane and scandalous Ministers may be rejected."<sup>86</sup> At the same time, it was recommended that a committee be set up for the purpose of considering ways in which "such godly and able Persons as shall preach the Gospel" might be encouraged.<sup>87</sup> Before ending the fourth meeting of sitting the House called for the establishment of the Commissioners of Trade. Francis Rous was reconfirmed on August 30 as Speaker of the House.

#### The Lilburne Case

A **thorny** issue confronting the Parliament at this time was that concerning Lieutenant-Colonel John Lilburne. Lilburne was a Leveller. He is described as a "political agitator" who always spoke of the rights

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<sup>86</sup> Ibid., 308.

<sup>87</sup> Ibid.

of the people.<sup>88</sup> It is said of him that, "his dauntless courage and his powers of speech made him the idol of the mob."<sup>89</sup> What makes him a rather controversial person is a description of him which disclosed the fact that, "In his controversies he was credulous, careless about the truth of his charges, and insatiably vindictive. He attacked in turn all constituted authority -- lords, Commons, Council of State, and Council of officers -- and quarrelled in succession with every ally."<sup>90</sup>

Lilburne who had been declared a felon by the Long Parliament had left England and gone to his exile in the Netherlands. On learning of Cromwell's expulsion of the Long Parliament, he apparently counted on Cromwell's placable disposition and applied for a pass to return to England. This request was turned down, but he decided to return to England without official approval. Upon arrival on June 14, he at once petitioned Cromwell and the Council of State for permission to remain unmolested. He assured Cromwell and the Council of State that he intended to live peacefully. However, he was soon arrested and committed to prison at Newgate. Lilburne used the time between his arrival and the convening of the new Parliament trying to put his case across in pamphlets. He denied having entered into any agreement with Charles Stuart and asked that no action be taken by Cromwell and the Council of State until the new body of representatives had met and considered

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<sup>88</sup>C. H. Firth, "John Lilburne," The Dictionary of National Biography, ed. L. Stephen and S. Lee (London: Oxford University Press, 1917), XI, 1129.

<sup>89</sup>  
Ibid.

<sup>90</sup>  
Ibid.

the charges brought against him by the late Parliament.<sup>91</sup>

He was, on July 13, brought to the bar of Old Bailey for trial. His trial attracted public interest and many began to petition for his release and freedom. Among petitions on behalf of Lilburne was that of August 2. The petitioners were from London and led by a group of six persons. After pressing their petition, the House announced its opinion declaring the petition to be scandalous and seditious. Secondly, the House ordered that the six who presented the petition be committed into safe custody. The Speaker of the House ordered that the whole matter be sent to the Council of State for the purpose of examining "the Authors, Subscribers, Abettors, and Printers" of the petition.<sup>92</sup> As to Lilburne himself, the House resolved to keep him a close prisoner. A few days later the Council of State's investigation on the petitioners was issued. The Parliament then resolved that the six petitioners were to be committed to Bridewell, London and "there to remain and be kept to hard labor, during the Pleasure of the Parliament."<sup>93</sup> But Lilburne had the sympathy of the populace. Crowds flocked in to see him tried and threats of rescuing him were freely uttered by the crowds carrying slips of paper with the words:

And what, shall then honest John Lilburne die ?  
Three-score thousand will know the reason why!<sup>94</sup>

Lilburne defended himself by asserting that he was not the

<sup>91</sup>Gardiner, II, 295.

<sup>92</sup>Common Journals, VII, 294.

<sup>93</sup>Ibid., 301.

<sup>94</sup>Abbott, III, 87.



Lieutenant-Colonel John Lilburne who had been banished by the Long Parliament.<sup>95</sup> In a statement attributed to him he denied this identity when he said, "I call Jehovah to witness and do here protest before God, angels, and men, I am not the person intended to be banished by the Act."<sup>96</sup> He contended further that even if he was the Lilburne intended to be banished, the dissolution of the Parliament which had decreed this banishment meant that all its unjust laws became invalid. He insisted that if the expulsion of the Long Parliament had been just, then all its unjust actions were not to be maintained. He made a rather sentimental appeal to his judges when he asked them whether

If I die on Monday, the Parliament on Tuesday may not pass such a sentence against every one of you twelve, and upon your wives and children; and then upon the rest of this city; and then upon the whole of the County of Middlesex; and then upon Hertfordshire, and so by degrees there be no people to inhabit England but themselves.<sup>97</sup>

After a prolonged period of consultation, the jury, on August 20, turned in a verdict of "Not guilty of any crime worthy of death."<sup>98</sup> The news of Lilburne's acquittal was received with loud acclamations by an estimated crowd of between three and four thousand spectators. Rejoicing with the civilians were the very soldiers who had been placed to guard the court as Lilburne's trial proceeded. The soldiers beat their

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<sup>95</sup>Gardiner, II, 297.

<sup>96</sup>Lilburne Tried and Cast, 137 (E, 720, 2), quoted in Gardiner, II, 297.

<sup>97</sup>Ibid., 298.

<sup>98</sup>Ibid.



drums and sounded their trumpets as they passed along the streets to their residence. But the government decided not to free Lilburne in the midst of this turmoil. Three days after Lilburne's acquittal the jurymen were summoned and questioned as to their motives behind the verdict they had given in Lilburne's case. Some of them refused to answer. Others said the Lilburne on trial was not the one who had been banished by the Long Parliament. As it turned out, Lilburne was not set free, although he was acquitted of the charge of felony.

#### The Fall of the Parliament

Beginning September 1 up to the end of its sitting, Parliament met as frequently as it had done in the past, six days a week. It continued to consider such things as petitions and to make reforms as it had done in the preceding months.

On September 1, a bill for the speedy satisfaction of the Adventurers for Lands in Ireland and for the Arrears due to the Soldiers in the same country was read in the House for the first time. At the same time a bill for the Encouragement of Protestants to settle in Ireland was read. On September 2, the Mayor and Common-Council of the City of London issued a petition to the parliament. It concerned the honor of the Parliament and pointed out that the Parliament's chief duty was that of promoting religion in the nation.<sup>99</sup> The petition was worded as follows:

We come here upon no other Errand, and Shall not meddle with the particulars of the petition: But only one thing we are very sensible; Except the

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<sup>99</sup>

Commons Journals, VII, 312.

honour of the Parliament be preserved, we think you will be scarce able to do any Great Matters, and if any people in the Nation shall be suffered at their pleasure, to reflect upon the Supreme Power, we think very ill fruits must follow.<sup>100</sup>

The petition was well received by the House, and prompt consideration of what was contained in it was promised by the House.

Then, on September 5, the House passed a resolution setting aside the next ten days for the consideration of financial matters. A number of bills were to be prepared and presented to the House. The committee for Raising of Monies was to bring in a bill for the disposing of the estates belonging to recusants. At the same time, the commissioners for Inspection of the Treasuries were to prepare and hand in a bill for the sale of forest lands.

Parliament began to assume a definitely hostile attitude towards all those who were considered unsympathetic to the cause of the Commonwealth. This attitude is reflected in the decisions which it took on property belonging to such people. A resolution was passed which authorized the sale of the land of inheritance as well as of every other property belonging to Sir Phillip Carterett, who was **then** deceased. Sir Phillip had lost his rights to the property because of what was described as "his Treasons and rebellions against Parliament and the good people of England."<sup>101</sup> To be sold also was property belonging to one named George Carterret. His land of inheritance, and Rents were to be sold because of his royalist leanings and for setting forth "Frigates of war

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<sup>100</sup>Ibid., 312.

<sup>101</sup>Ibid., 318.

against the Commonwealth."<sup>102</sup> Parliament took a harsh step towards some thirty-seven inhabitants of the Isle of Jersey, when it declared that the lands of inheritance, rents, and any other revenues belonging to those who were described as "notorious and capital Enemies of the Commonwealth," were to be sold.<sup>103</sup>

On September 20, Parliament resolved to offer Hampton Court in exchange for New Hall on proportionate value. Sir Anthony Ashley Casper was instructed to make the news of this offer known to Cromwell. But at this time, the Parliament maintained a firm control over the members' attendance. The regulation that those present be marked with "P", those absent, with "A", and those on leave, with "Leave," was in force. Perhaps the seriousness with which the Parliament viewed attendance can be visualized, when it is remembered that the House passed a resolution in which it stated that all members who had attended the sessions of Parliament and were gone without permission were "to attend the service of the House, on this day fortnight under the penalty of a Fine,"<sup>104</sup>

In this same month, the House passed a resolution authorizing

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<sup>102</sup> Ibid.

<sup>103</sup> Ibid.

<sup>104</sup> Ibid., 322.

the sale of the Estates of the so-called Delinquents since January 30, 1648.<sup>105</sup> But the proceedings were not concerned solely with the punishment of Delinquents. Rewards were also given. One such case was that in which the House ordered that a tract of land in Scotland, valued at 200 pounds, be given to Colonel Thomas Fitch and his heirs "in satisfaction of his arrears, sufferings, and faithful services" and that such land was to be arranged by the Commissioners of Sequestrations in Scotland.<sup>106</sup>

The Assembly also concerned itself with the safety of the citizens on the highways. To that effect it passed a resolution calling for a Bill to be brought in for the purpose of encouraging the apprehension or discovery of highway men and robbers. At the same time that this bill was being contemplated, the Bill for establishing a High Court of Justice was undergoing a second reading in the House.

Other than giving Major Heane a piece of land in Scotland worth 100 pounds per annum for his undoubted affection for the Commonwealth and his promotion of engineering, the most important business before the Parliament at the beginning of November was that of choosing the members of the Council of State. When the votes had been cast, the results ran as follows:<sup>107</sup>

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<sup>105</sup> The term "Delinquents" refers to all those persons who had royalist sympathies and fought for the king in the Civil War between the Parliament and the Monarch.

<sup>106</sup> Commands Journals, VII, 329.

<sup>107</sup> Ibid., VII, 344.

<u>Candidate</u>	<u>Votes Received</u>
Lord General Cromwell	113
Sir Gilbert Pickering	110
Major-General Desboro	74
Mr. Strickland	71
Mr. Lawrence	68
Colonel Sidenham	67
Colonel Jones	65
Sir Charles Wosley	62
Colonel Ticlborne	61
Sir Anthony Ashley Cooper	60
Mr. Carew	59
Colonel Montagu	59
Major-General Harrison	58
Lord Viscount Lisle	58
Colonel Norton	57
Mr. Major	57
Captain Howard	57      108

The new additions to the Council totalled Sixteen and the votes were  
polled as follows:<sup>109</sup>

Colonel Rous	93
Sir Wm. Roberts	63
John Sadley	62
Sir Robert King	61
Colonel Henry Cromwell	60
Dr. Goddard	59
Sir Wm. Brownlow	58
Colonel Barton	56
Lord Ewre	56
Captain Stone	55
Colonel George Fleet	54
Colonel James	53
Mr. Anlaby	52
Mr. Jervas Bennett	52
Colonel Bingham	52
Captain Curt	52

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<sup>108</sup> These were members of the outgoing Council of State who were re-elected. They totalled seventeen. However, Gardiner, II, 307 gives the number as sixteen.

<sup>109</sup> Commons Journals, VII, 344. Here again Gardiner gives the number as fifteen, not sixteen.

The House by a vote of 58 to 38 approved the motion that the newly-elected Council assume responsibility for a period of six months. The members had to take an oath promising in the sight of God to be faithful to the trust which had been committed to them. They had to promise not to reveal anything either directly or indirectly. One instruction to the members of the Council of State read thus:

You and any three of you, are hereby authorized, to administer, each to other, the oath of secrecy, appointed by the Parliament to be taken by every member of the Council and likewise to administer to respective oaths appointed to be taken by the Secretary of the Council of State, and to such as the Council shall employ under therein.<sup>110</sup>

Another Instruction to the Council of State spelled out more clearly what the Parliament expected of them. The elected members of the Council were to take care that, "the good people of this Nation, and of Ireland and Scotland, be protected in their peaceable Assemblies for the worship of God; provided this Instruction be not extended to the sufferance, protection, or countenance of popish or idolatrous worship, in this, or either of the other nations."<sup>111</sup>

The House spent part of November confirming nominations to the post of Sheriffs of various counties. It also confirmed nominations for other positions; for example the appointment of Richard Harrison as Minister in the City of Hereford in the place of Ralph London, who had died. Before the end of November, Parliament had another

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<sup>110</sup> Commons Journals, VII, 345.

<sup>111</sup> Ibid.



look at Lilburne. In a resolution passed November 26, it gave instructions to the Lieutenant of the Tower of London to detain and keep "the body of Lieutenant John Lilburne in safe custody in the Tower of London, and not to remove or carry him from thence, notwithstanding any Habeas Corpus granted, or to be granted, for that purpose, by the Court of Upper-Bench, or any Court, until Parliament take further order."<sup>112</sup>

Before the end of November, Parliament also confirmed the appointment of John Arrowsmith as Master of Trinity College in Cambridge to replace the deceased Master of the college, Dr. Hill.

#### Problems in the Commonwealth

By the end of August, 1653, the position of the revolutionary government and its head was becoming rather difficult. The Nominated Parliament was encountering problems from within and without. Signs of discontent were beginning to show. The trial of John Lilburne was still fresh in the people's mind, as has been shown. However, the Parliament continued its usual task, meeting six days a week and embarking on new and comprehensive reforms.

Copies of an anonymous pamphlet entitled A Charge of High Treason Exhibited Against Oliver Cromwell, Esq., were scattered through the streets of London. This pamphlet denounced Cromwell for failing to call an elected Parliament and went so far as to summon a new Parliament whose House of Lords was to meet on October 16.<sup>113</sup>

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<sup>112</sup> Ibid., 358.

<sup>113</sup> Calendar of State Papers, 1653-4, 151.

The Council of State had taken steps to discover the source of the pamphlet as early as September 15. There seems therefore to be little doubt about the government's concern over this matter. The attack appears to have created some nervousness to Cromwell. In fact it is reported that Cromwell offered some money from his own pocket for the apprehension of the authors of the charge against him.<sup>114</sup> Two printers, John Clowes and Robert Austin, were apprehended and confined at Gatehouse.

Shortly after the distribution of the pamphlet, the House resolved that there be a declaration for the purpose of giving what was described as:

fitting liberty to all that fear God, within this Commonwealth; and for preventing the abuses of speaking evil against Magistrates and Magistracy, and the better Preservation of mutial Peace of such as fear God among themselves, without imposing one upon another, and to discountenance Blasphemies, Damnable Heresies, and licentious Practices.<sup>115</sup>

It is apparent from this declaration that the Parliament was concerned about peace and security in the country.

A second problem which must have been a source of worry to Cromwell was that involving Cornet Joyce. Joyce, a lieutenant-colonel and Governor of Portland, had been granted an estate by Parliament, perhaps for his role in capturing Charles I. It was known that Joyce had been opposed to the dissolution of the Long Parliament and he had even accused

<sup>114</sup> Calendar of State Papers, Venetian, 1653-4, 132-133.

<sup>115</sup> Commons Journals, VII, 332.

Cromwell of desiring to become King. A conflict developed between the two men when Joyce wanted to buy the Finchley Park in Hampshire, which belonged to Cromwell's son. Cromwell and his son prevented the purchase. Joyce claimed Cromwell had introduced a charge of treasonable language in which he stated that he was sorry that a pistol which had been pointed at Cromwell's head at Tripole Heath had not been discharged. Whatever truth there is in Joyce's story, Cromwell's response was to commit him to prison for a period of ten weeks. The Joyce incident, like that of the Charge of High Treason, disturbed Cromwell, the Council of State, and the Parliament, for these cases evidenced the fact that people were beginning to show dissatisfaction with the newly constituted government. The Venetian representative in London at this time seems to have been aware of the circumstances when he recorded that the government not only neglected foreign affairs altogether, but was unable to cope with the domestic problems. The general picture of the situation, as he saw it, was that both the administration and the government were becoming increasingly aware of their growing weakness.<sup>116</sup>

A third problem was that relating to Lilburne's trial. Although Lilburne had been removed from society through confinement to prison, the Leveller influence had not disappeared. The Leveller pamphleteers were still actively attacking those in power. In fact, Lilburne's attacks had been reinforced by others, such as Captain Norwood's Fundamental Laws and Liberty of England Claimed. This, like other attacks, aims at both Cromwell and Parliament, which was regarded as Cromwell's

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<sup>116</sup>

Calendar of State Papers, Venetian, 1653-4, 129.

creature. The new Leveller attack was of particular significance because of its views on the idea of sovereignty. As Cromwell had set the theory of divine approval of his cause against the Royalist principle of divine right of Kings, the Levellers raised against both of these doctrines the principle of the fundamental laws and liberties of all Englishmen, regardless of their station in life. To the Levellers, these laws and liberties which were expressed in the customs, courts, and juries reflected the true sentiments and rights of Englishmen and constituted the supreme law of the land. This Leveller's principle constituted a threat to both Cromwell and Parliament.

To meet the threat posed by the Levellers, Parliament voted in favor of an increase in the number of armed men in the city.<sup>117</sup> Cromwell and the Parliament called upon pamphleteers of their own to defend them against the Levellers' attacks. In reply to A Charge of High Treason directed particularly against Cromwell, there appeared on October 20 a vivid pamphlet entitled, Sedition Scourged, or A View of that Rascally and Venomous Paper, entitled A Charge of High-Treason Exhibited Against Oliver Cromwell, Esq.<sup>118</sup> The pamphlet enunciated the principle of control of the press by asserting the attack on authority should be met by more authority, especially in the field of freedom of the press. It is not therefore difficult to see that both the Army and Parliament were preoccupied with the problem of maintaining peace and stability in the country.

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<sup>117</sup>Calendar of State Papers, Domestic, 1653-54, 207.

<sup>118</sup>Somers Tracts, IV, 459-66.

And yet, this was not all. Just at this time the seamen were becoming restless. Some three or four hundred seamen in London and Westminster began demanding their arrears in pay. A group of these men went to Cromwell and Monk and declared they were seeking justice and right. In the belief that he would intimidate and drive the rioters away, Monk drew his sword. He managed to wound a few and drive the rest away. This incident had the effect of sparking some more rioting, which was quelled only by some troops of horse. The seamen's demands were later recognized as legitimate. Cromwell, it was reported, privately conferred with the City Authorities in an effort to raise the 400,000 pounds needed to meet the demands of the fleet. The Venetian envoy recorded the situation as follows:

The people here will be reluctant to grant, as the universal murmur, only too freely uttered, runs that never was taxation so high as at present, and there is no doubt that only the dread of the military makes the English now submit to burdens, the bare mention of which, in bygone times would have driven them frantic.<sup>119</sup>

Within the Parliament itself, signs of division were beginning to show. For the purpose of saving the military and naval services from entire collapse, it was necessary to renew the Assessment Act. To meet this purpose, a bill renewing the monthly assessment of 120,000 pounds for another half-year was brought into the House on November 4. It immediately encountered serious opposition. Before it reached its final shape, alterations were made in the sums which each country had to pay. Those who objected to the passage of the Bill were in two

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<sup>119</sup> Calendar of State Papers, Venetian, 1653-4, 145.



categories. First, there were those who were hit by the alterations which imposed a heavier quota on their counties. Then, there were those who generally felt that too much money was being spent on the soldiers and sailors.<sup>120</sup> It was suggested that the soldiers who had enriched themselves by the purchase of forfeited estates at low values should be called upon to serve the nation without pay for a year. Opposition to the tax modification was very strong in the House, but the opposition finally allowed the Bill to pass in the hope that a more favourable tax might be worked out in the next six months. Only a few days of discussion on the Excise convinced the members that the impost was oppressive, and a committee was ordered to draw up the Bill treating it as a temporary measure.<sup>121</sup>

Serious as the tax matter might have appeared, it was not as fierce as the contest on Church issues. Cromwell had been doing his best to promote harmony among the various religious groups. The Chief instigators of trouble were the Fifth-Monarchy preachers and the lectures which they delivered at Blackfriars drew large crowds. They sought, among other things, to abolish tithes and to place the ministry on a voluntary basis. They also sought a simplification of the lives of the Christians and advocated that office and authority be given to the saints, alone. Gardiner speaks of the Fifth-Monarchy man in this manner: "Their aim was to grasp the sword and to compel their countrymen to adapt themselves to the government of the Saints. To oppose their whims was to

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<sup>120</sup> Somers Tracts, VI, 273.

<sup>121</sup> Commons Journals, VII, 381.



be the servants of Antichrist himself."<sup>122</sup>

At a meeting at Blackfriars on November 16 in which Christopher Feake played a leading role, there were attacks made on the Reformed churches. In fact, it is reported that Feake predicted the collapse of the Army, Parliament, the Council of State and all in power. At the same meeting a call for constitutional reform was sounded. The idea that the Barebones Parliament was no better than the Long Parliament was shared by many. In 1648 when the Agreement of the People was framed, particular attention was paid to the limiting of the powers of the executive. In 1653 concern was to limit the powers of Parliament in order to avoid the possibility of parliamentary-tyranny of a unicameral legislature. The Royalists are reported to have been restless at this time, and the moderate party, which had a majority in parliament, thought of increasing the powers of the executive. While many of the members were absent attending the meeting at Blackfriars, the Moderate party managed to pass a bill through Parliament creating the Court of Chancery. Their haste in passing the Bill was due to the fact that they feared that the radical members of Parliament, who were their opponents, might cause trouble in the country if effective machinery for dealing with them was not established without delay. The rift between the Moderate party and their opponents was widening and this is partly revealed in an attack launched by the latter on Cromwell. These radicals began to make direct attacks on Cromwell, calling him "The

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Gardiner, II, 315. Here Gardiner gives the impression that the Fifth-Monarchists were religious fanatics.

Old Dragon" and "The Man of Sin."<sup>123</sup> In spite of these attacks, Cromwell adopted a conciliatory attitude towards them. He warned them of the danger of division and even went to the extent of sending some of his men to them to plead the cause of the civil government. His hope was that the radical group, which consisted of the Fifth-Monarchy Men, might be induced to promote the Kingdom of Christ by suitable methods.

Then came up the vexed question of tithes. For several days in early December, Parliament discussed a committee report on the subject. The question of tithes included provisions for the ejection of "scandalous and ignorant" ministers. The ejection of ministers meant that England was to be divided into circuits, each of which was to be visited by commissioners appointed by the State. These commissioners were to cooperate with local commissioners in ejecting the ministers. Besides, they were to find better qualified persons to fill the vacancies so created. Brought to a vote on December 10, the plan to establish ejectors was defeated by a radical majority of two. Two days later, a vote on the provisions relating directly to the collection of tithes was to be taken. Cromwell and his followers feared that if the provisions were rejected by the radicals, then the radicals will not only have succeeded in establishing the means of supporting the ministers, but they might soon begin to make some general attacks on property. Cromwell and his followers did not want to see this.

#### Coup D' Etat

As a result of these activities of the radicals, most of the

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<sup>123</sup>  
Ibid., 321.

supporters of Cromwell planned a coup d'etat to take place on December 12. Prior to this day, consultations went on in secret and Cromwell was kept in the dark. The Speaker of the House was in sympathy with the plan. On the eve of the coup d'etat, it was ascertained that it would be possible to detach some of the less convinced of the majority of Moderates and thus secure a dissolution that would ostensibly be a purely parliamentary abdication.<sup>124</sup>

On the morning of December 12, those who were behind the plan rushed early to the House and managed to secure a majority while their opponents who were ignorant of the plan made no haste to come. Soon after the Speaker had taken the chair, Sir Charles Wolseley, a member of the Council of State, reproached the opponents of the Moderate party with attempting to rob the officers of their pay. In addition, he charged that the opponents had attempted to destroy the Chancery, and to substitute a completely new legal system of their own invention for the old Common and Statute law of England. A description of the manner in which the Nominated Parliament ended runs as follows:

It being moved in the House this Day, That the sitting of this Parliament any longer, as now constituted, will not be for the Good of the Commonwealth; and that therefore it was requisite to deliver up unto the Lord General Cromwell the Powers which they received from him; and that Motion being seconded by several other Members, the House; the House rose. And the Speaker, with many of the Members of the House, departed out of the House to Whitehall, where they, being the greater Number of the Members sitting in Parliament, did, by a Writing under their Hands, resign unto his Excellency their said Powers. And Mr. Speaker attended with the Members, did present the same

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Somers Tracts, VI, 282.

to his Excellency, accordingly.<sup>125</sup>

A minority consisting of those who did not go to meet Cromwell at Whitehall, continued to sit in the House claiming that their call to the service of the House was a divine one and declared that they were in the House to promote the interest of Jesus Christ. This group was asked to withdraw from the House by Colonel Goffee and Lieutenant-Colonel White. They made a slight protest, and one of them said, "We are here by a call from the General, and will not come out by your desire unless you have a command from him."<sup>126</sup> The two Colonels could not prove that they were acting on Cromwell's orders. However, they called the soldiers who were standing at the door to come in and drive them away. The expulsion of the minority was so rapidly carried out that it was all over even before the majority reached Whitehall.

On arrival at Whitehall they handed to Cromwell their abdication. Cromwell's reaction to the abdication is recorded by Gardiner in the words, "He appeared to be surprised and told them that it was a heavy burden that they were laying on his shoulders. He did not, however, refuse to accept their resignation . . ."<sup>127</sup> With Cromwell's acceptance of their resignation came to an end the life of the Barebones Parliament.

#### After Abdication

Now that the Nominated Parliament had dissolved itself on December 12, 1653, England was without a formal government. The necessity of creating a new government was urgent. On the following day, at a

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<sup>125</sup> Commons Journals, VII, 363.

<sup>126</sup> Thurloe State Papers, I, 637.

<sup>127</sup> Gardiner, II, 328

meeting of the officers in the Council Chamber at Whitehall Lambert produced the deed by which the late Parliament had handed over the powers to Cromwell and obtained the consent of the officers present to a new constitutional plan. On the following two days, 14th and 15th, fresh discussions were held and a final redaction was accepted by Cromwell.<sup>128</sup> From these discussions emerged a document called the Instrument of Government. The next step then was to arrange a public function at which the inauguration of a new government would take place. For this purpose the afternoon of Friday, December 16 was set aside. After an impressive procession in which the dignitaries took part, the government was passed into the hands of Cromwell who was to become Protector. Helping him in the administration of the country was to be a Council of thirteen men.

The substance of the Instrument upon which the government of the Commonwealth of England, Scotland, and Ireland was to be based was as follows:

1. That the legislative power of the Commonwealth was to reside in a single man, assisted by a Council of at least thirteen and at most twenty-one persons. The Commons assembled in Parliament were to help in legislation.
2. That the single person was to be known as Lord Protector of the Commonwealth.
3. That there were to be constant triennial parliaments, the first to start the third day of September, 1654.
4. That the power to make laws was to be vested in Parliament.
5. That the power to make laws was to be vested in Parliament. In case he refused to sign the bill, it would automatically become law provided it contained nothing contrary to the provisions of the Instrument.

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<sup>128</sup> An Intercepted Letter, Dec. 14, Thurloe State Papers, I, 622.



6. The Office of Lord Protector was to be elective,  
not hereditary.

Now that the new government had been formed and a constitution had been provided, the country was embarking on a new experiment. There is little or no doubt that the power was concentrated in the hands of a single man, Oliver Cromwell.



### III

#### CONCLUSION

Cromwell's speech to the Nominated Parliament on July 4, 1653 shows that he had much hope the Assembly would effectively discharge the duties to which it had been called. It is hard to discover whether he even envisaged a division to arise among them. The zeal and enthusiasm with which the nominees assumed the role of legislators must have been a great satisfaction to Cromwell. The new legislators came from varied backgrounds and this may have had some effect but this did not show in the early days of the sitting.

While some of the nominees were definitely of low social status, others were socially respectable men. They embarked on a broad and comprehensive program of reform in the five months they were in session. On the basis of what they did in that short time, one gets the impression that they must have worked as a team. They were certainly able to appoint a committee to consider reforming the entire legal system. They abolished the unpopular Court of Chancery, and passed an act for the relief of creditors and needy prisoners. As an assembly, they appointed various committees for competent and effective discharge of their duties. They were able to unify and rationalize the whole financial system. They abolished the excise that was especially burdensome to the poor.

Opinions vary on the purpose the assembly really served. Its admirers hail it as a "high-minded" attempt or effort to bring about reform

in English political life. Its opponents view it as nothing short of an attempt to bridge the gap between the parliamentary and protectoral forms of government.<sup>129</sup> Some view the Nominated Parliament as an excuse for the transition to dictatorship, presumably by Cromwell. But, as Abbott points out, the Nominated Parliament served one important purpose; namely, that it "brought into the light of the day the extreme proposals of the most advanced party in the State . . . and it had enabled the Lord General and his party to appear as the saviors of society."<sup>130</sup>

As to the first view, it is difficult to tell whether right from the time that the Long Parliament was dissolved, Cromwell and his supporters anticipated a protectoral form of government. This is highly improbable particularly so when viewed in the light of the developments just prior to the voluntary dissolution of the Parliament and the role Cromwell had played up to then. It can safely be said that Cromwell still believed the nominated members of Parliament might be able to solve their political and religious differences in the interest of the country as a whole.

Whatever the composition of the Barebones Parliament, whatever differences prevailed among its members, whatever weaknesses it harbored as a body, it certainly kept busy from July 4, the time of its first meeting, to December 12, the last day of sitting. The Parliament certainly had its share of radicals; but it had a large number of moderates too. It had what have been described as "dregs" but it had a good number of "respectable men." The role which the Parliament played cannot be determined or concluded merely on the basis of its membership. The major

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<sup>129</sup>Abbott, III, 133.

<sup>130</sup>Ibid.

shortcoming of the Barebones Parliament was that it was politically inexperienced. But, for all its failings, the Parliament was at least active and conscientious. Had it struck a balance between its zeal and its judgment, it would have gone down in history as a more notable Parliament.

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